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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EVALYN ANA MENDOZA

Plaintiff,

1

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

No. 1:20-cv-01695-EPG

STIPULATED MOTION AND ORDER FOR
AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S OPENING BRIEF

(ECF No. 20)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Defendant's time for responding to Plaintiff's Opening Brief be extended eighty-five (85) days from February 17, 2022, to May 13, 2022. This is Defendant's first request for an extension. Counsel for Plaintiff has no objection to Defendant's request for an extension.

Good cause exists for this request. Defendant respectfully requests this additional time because Counsel for Defendant will be unable to devote the time required to complete Defendant's response to Plaintiff's Opening Brief given the current due date. The undersigned

1 attorney has been out of the office on extended paternity leave for the past couple months and
2 returned full-time last week after unexpectedly spending an additional week out of the office
3 caring for his 3 year old son due to COVID. As this Court no doubt knows, Social Security case
4 filings in federal court increased significantly in the past year. The increased filings,
5 compounded by COVID-related delays in transcript production and attorney attrition, have
6 resulted in an increased workload and competing deadlines. Counsel for Defendant currently has
7 twenty (20) merit briefs currently due in district court cases over the next 30 days and an
8 additional eighteen (18) merit briefs currently due in district court cases in 30-60 days. Given
9 this current workload a lengthy extension until May 13, 2022 should provide an opportunity for
10 the undersigned Counsel for Defendant to complete the response to Plaintiff's Opening Brief.
11 Furthermore, a reassignment of this matter to another staff attorney is currently not tenable given
12 the high volume of cases that all of our limited staff (due to leave and resignations) is handling.
13 Counsel apologizes to the Court for any inconvenience caused by this delay. All other dates in
14 the Court's Scheduling Order shall be extended accordingly.

15
16 Respectfully submitted,

17 PHILLIP A. TALBERT
18 United States Attorney

19 DATE: January 24, 2022

20 By: s/ Oscar Gonzalez de Llano
21 OSCAR GONZALEZ DE LLANO
22 Special Assistant United States Attorney
23 Attorneys for Defendant

24 Respectfully submitted,

25 Attorneys for Plaintiff

26 DATE: January 24, 2022

27 By: s/ Jonathan O. Pena*
28 Jonathan O. Pena, Esq.
Pena & Bromberg, Attorneys at Law
(*as authorized by email)

ORDER

Based on the above stipulation, IT IS ORDERED that Defendant's motion for extension of time (ECF No. 20) is granted. Defendant shall have an extension, up to and including May 13, 2022, to respond to Plaintiff's Opening Brief. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: January 25, 2022

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE